

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

UNITED STATES

v.

CHARLES ORLANDO PRATT, IV,

*Defendant.*

Criminal Action No. 24-563 (LLA)

**MEMORANDUM OPINION**

In December 2024, Mr. Pratt was charged in a seven-count indictment with crimes related to the January 6, 2021 riot at the United States Capitol. ECF No. 6. About a week later, he appeared before Magistrate Judge Zia M. Faruqui and entered a plea of not guilty. *See* December 17, 2024 Minute Entry. The same day, Magistrate Judge Faruqui issued an order setting the conditions of Mr. Pratt's pretrial release. ECF No. 13. Shortly thereafter, Mr. Pratt filed a motion to clarify the terms of the pretrial release order, ECF No. 14, asking the court: (1) where he should surrender his passport, *id.* at 2; (2) whether he was permitted to attend the swearing-in of a newly elected Congressman in the District of Columbia on January 3, 2025, *id.*; and (3) whether he is required to provide the U.S. Pretrial Services Agency with certain records, *id.* at 3-8.

The United States does not object to Mr. Pratt's proposed manner of surrendering his passport, nor does it ask that he be required to submit the records that he prefers to withhold, ECF No. 15, at 1; accordingly, the court will enter an order implementing those agreed-upon terms of pretrial release. The United States does, however, object to Mr. Pratt's request to attend the January 3, 2025 Congressional swearing-in in the District, and it asks that the court amend another

term of pretrial release that would permit Mr. Pratt to attend the 2025 Presidential Inauguration in the District. *Id.* at 2-4 & n.1. Because the January 3, 2025 swearing-in has since passed, the court treats that portion of Mr. Pratt’s motion as moot, but it will grant the United States’ request to modify Mr. Pratt’s conditions of pretrial release to prohibit him from attending the 2025 Presidential Inauguration.<sup>1</sup>

Defendants on pretrial release must be subject to the “least restrictive condition[s]” that “will reasonably assure the appearance of the person as required and the safety of any other person and the community.” 18 U.S.C. § 3142(c)(1)(B). In determining those conditions, courts must consider “the nature and circumstances of the offense charged, including whether the offense is a crime of violence,” “the weight of the evidence against the [defendant],” the defendant’s “history and characteristics,” and “the nature and seriousness of the danger [posed] to any person or the community” by the defendant’s release. *Id.* § 3142(g). Courts have wide latitude to modify conditions of release: they “may at any time amend the order [setting conditions of pretrial release] to impose additional or different conditions of release.” *Id.* § 3142(c)(3).

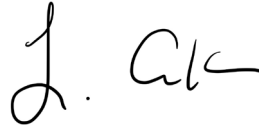
As the United States points out, Mr. Pratt is charged with crimes, including violent felonies, that specifically took place at the United States Capitol—the very place he now wishes to travel. ECF No. 15, at 3. Notably, the United States has provided several screenshots and photographs that appear to show Mr. Pratt grabbing and shoving U.S. Capitol Police officers, and, on one occasion, struggling with an officer over his police baton. ECF No. 1-1, at 7-20. Given the violent nature of Mr. Pratt’s charged offenses, the fact that they occurred at the Capitol, and the “weight of the evidence” that the United States thus far provided, 18 U.S.C. § 3142(g)(2), the court does

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<sup>1</sup> Although the United States did not file a freestanding motion requesting modification of the terms of Mr. Pratt’s pretrial release, the court construes the government’s response to Mr. Pratt’s motion, ECF No. 15, as making such a request.

not find it appropriate to permit Mr. Pratt to attend the Presidential Inauguration on January 20, 2025.

For the foregoing reasons, the court will grant in part and deny as moot in part Mr. Pratt's motion to clarify, ECF No. 14, and it will grant the United States' request to modify the term of Mr. Pratt's pretrial release concerning the 2025 Presidential Inauguration.

A handwritten signature in black ink, appearing to read "L. Alikhan", written above a horizontal line.

LOREN L. ALIKHAN  
United States District Judge

Date: January 8, 2025